

## Notes

according to Article 23 Paragraph 1 of EC regulation 1177/2010:

### Rights of disabled persons and persons with limited mobility

In order to

- comply with **applicable** safety requirements, or
- to carry out embarkation, disembarkation or transportation of this person in a safe or operationally feasible manner if this is not possible due to the **design of the passenger ship or the infrastructure and organisation of the port including the port terminals**,

carriers, travel agents and tour operators can refuse to make a booking for a disabled person or a person with limited mobility, to issue or make a ticket available to them, or to take the person on board the ship.

The assistance to be provided according to Article 10 of EC Regulation No. 1177/2010 for disabled people and persons with limited mobility by the carrier and terminal operator requires that

- there be a confirmed booking for the journey and
- that the person's need for assistance be communicated to the carrier or terminal operator **at the latest 48 hours** before the time when assistance will be needed, and
- that the person be present at the port or designated contact point at a time specified by the carrier in writing, which may be no earlier than 60 minutes before the announced embarkation time, or
- if an embarkation time has not been specified, be present at the latest 60 minutes before the scheduled departure time.

### Rights of all passengers if travel is interrupted

#### 1. **Delay by more than 90 minutes or cancellation:**

a) **Assistance:** Proportionate to waiting time, free snacks, meals or refreshments are to be provided given that these are available or can be reasonably provided.

There is however **no** entitlement to assistance:

- for passengers with **open travel dates**, if a departure time has not been specified, or
- for passengers who were informed of the delay/cancellation before purchasing the ticket, or
- if the **passenger is to blame** for the delay/cancellation.

b) **Alternative transport** to the destination specified in the travel contract under comparable conditions at the earliest possible time and at no extra cost, or

c) **refund of the ticket price and free return transport** to the point of departure specified in the travel contract at the **earliest** opportunity if applicable.

There is however **no** entitlement to alternative transport, refund of the ticket price or free return transport:

- for passengers with **open travel dates**, if a departure time has not been specified.

**2. Delays or cancellations that require a stay of one or more nights or an extension to the stay expected by passengers:**

- a) as under 1. a), and
- b) if practically feasible, free suitable accommodation on board or on land as well as transportation between the port terminal and the accommodation. This entitlement does **not** apply if
- **weather conditions** have caused a delay/cancellation.
- The total costs for accommodation on land can be limited to 80 EUR per passenger per night and for a maximum of three nights.
- c) as under 1. b), or
- d) as under 1. c).

All entitlements outlined do **not** apply:

- to passengers with **open travel dates**, if a departure time has not been specified, or
- to passengers that were **informed** of the delay/cancellation before purchasing the ticket, or
- if the **passenger is to blame** for the delay/cancellation.

**3. Delayed arrival at the destination:**

For a delay in arrival at the destination of  $\geq 1$  hour for a scheduled journey time of up to 4 hours, the passenger is entitled to compensation of at least 25% of the ticket price. If the delay is twice the time specified, then compensation shall be 50% of the ticket price.

Entitlement to compensation does **not** apply:

- to passengers with **open travel dates**, if a departure time has not been specified, or
- to passengers that were **informed** of the delay/cancellation before purchasing the ticket, or
- if **weather conditions** have caused a delay/cancellation, or
- if the delay/cancellation was caused by **exceptional circumstances**.

**Further information:**

You can obtain further information on EC Regulation 1177/2010 from the competent national enforcement body, by phone: 00 800 67891011 or by e-mail: [mail@europe-direct.cec.eu.int](mailto:mail@europe-direct.cec.eu.int) or [mail@europe-direct.ec.europa.eu](mailto:mail@europe-direct.ec.europa.eu)